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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,147	02/27/2001	Guillaume Bichot	PF980034	5725

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EXAMINER	
BAROT, BHARAT	

ART UNIT	PAPER NUMBER
2455	

NOTIFICATION DATE	DELIVERY MODE
11/09/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/719,147	BICHOT ET AL.	
	Examiner	Art Unit	
	BHARAT N. BAROT	2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 January 2012*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *1,3-8 and 11* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1, 3-8, and 11* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)

1. Claims 1, 3-8, and 11 are pending and remain for further examination.

The new grounds of rejection

2. Applicants' arguments and amendments with respect to claims 1 and 11, and request for continued examination (RCE) filed on January 19, 2012 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103(a)

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goertzel et al (U.S. Patent No. 6,208,952) in view of Osborne (U.S. Patent No. 5,790,804).

5. Goertzel teaches the invention substantially as claimed including a method and system for delayed registration of protocols (see abstract).

6. As to claim 1, Goertzel teaches a communication method in a first network comprising at least two devices (client and communication process) connected to a communication bus, a first device including an application (client having an application) and a second device including means for connecting to a network (communication process having a means for connecting) (figure 2, and column 4 lines 12-35) the method comprises the steps of: sending a request from the first device to the second device for opening a connection between the first device and the second device; sending an internet protocol request from the first device to the second device (figure 2; and column 4 line 36 to column 5 line 20, Goertzel discloses that when the client needs to communicate with the server, a request is sent to the communication process 260 which includes the list of supported protocols and the network application used for communication); forwarding the internet protocol request from the second device to a network server (column 4 lines 36-59 and column 5 lines 1-30, Goertzel discloses that the request is forwarded to the server process through the communication process); upon receipt, transferring a response from the network server to the first device through the second device over the communication bus (column 5 lines 1-67, Goertzel discloses that the communication response is forwarded from the communication process which originated from the server process); and sending by the first device an internet application protocol identifier to the second device to identify the internet application protocol to be used between the first device and the server for sending and/or receiving data, the application protocol being selected from among a plurality of protocols supported by the second device (figure 2; and column 4 line 36 to column 5 line 20,

Goertzel discloses that when the client needs to communicate with the server, a request is sent to the communication process 260 which includes the list of supported protocols and the network application used for communication)

However, Goertzel fails to teach the claimed limitation of an Internet server. Goertzel does teach that the server handles TCP/IP communication protocol (figures 2-3s and 12; and column 4 lines 35-59, server system having a RPCSS server handles TCP/IP communication protocol and act as Internet server). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goertzel by specifying the network serve as an Internet server since the same functionality of communicating using TCP/IP protocol is achieved.

7. As to claim 3, However, Goertzel does not teach that a response by the second device to the request for opening a connection includes a message buffer size allocated to the connection by the second device.

Osborne teaches that a response by the second device to the request for opening a connection includes the message buffer size allocated to the connection on the first network by the second device (see abstract; figure 12; column 5 lines 7-41; and column 16 line 46 to column 17 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Osborne stated above in the communication method of Goertzel because it would have achieved low overhead in multi-user network and processor environment, and saved considerable processing time, which leads to improved network operation.

8. As to claim 4, However, Goertzel does not teach that on the first network the sending device splits data to be sent to receiving device into messages of a size which is smaller than the size of the message buffer of the receiving device.

Osborne teaches that on the first network the sending device splits data to be sent to receiving device into messages of a size which is smaller than the size of the message buffer of the receiving device (figure 12; and column 16 line 46 to column 17 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Osborne stated above in the communication method of Goertzel because it would have achieved low overhead in multi-user network and processor environment, and saved considerable processing time, which leads to improved network operation.

9. As to claim 5, Goertzel teaches the step of sending, by the second device a list of network application protocols supported by the second device upon request from the first device (column 5 lines 1-20).

10. As to claim 6, Goertzel teaches the step of receiving by the second device from the first device, an address of a function of the first device, the second device sending network responses to the first device as parameters of a call of the function (columns 5-6).

11. As to claim 7, Goertzel teaches that the second device attributes a connection identifier to a connection requested by the first device, the connection identifier being sent from the first device to the second device as acknowledgment of receipt for the request for opening the connection (columns 5-7).

12. As to claim 8, Goertzel teaches that the first and second devices systematically use the connection identifier as parameter for function calls by the first device to the second device or vice-versa (columns 5-9).

13. Claim 11 does not teach or define any new limitations beside above claim 1; therefore, the claim 11 is also rejected for the same reasons set forth to rejecting claim 1 above.

Response to Arguments

14. Applicant's arguments and amendments with respect to claims 1, 3-8, and 11 filed on January 19, 2012 have been fully considered but they are not deemed to be persuasive for the claims 1, 3-8, and 11.

15. In the remarks, the applicant argues that:

(A) Argument: Goertzel does not teach, show, or suggest the first and second devices in the present claims to gather with Internet server.

Response: Goertzel teaches or suggests that the first device (client) and second device (server) in the present claims to gather with Internet server (RPCSS server) (see figures 2-3s and 12). Goertzel does teach that the server system having a RPCSS server handles TCP/IP communication protocol and act as Internet server) (figures 2-3s and 12; and column 4 lines 35-59). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goertzel by specifying the network serve as an Internet server since the same functionality of communicating using TCP/IP protocol is achieved; therefore, Goertzel explicitly teaches the claimed limitations recited in the claim 1. Accordingly, appellant's arguments that Goertzel fails to disclose these limitations are moot.

(B) Argument: Goertzel and Osborne fail to teach, show, or suggest that "the request by the first device includes a message buffer size allocated to message reception by the first device for the connection on the first network" as defined in claim 1.

Response: Osborne does teach that the request by the first device includes a message buffer size allocated to message reception by the first device for the connection on the first network (see abstract; figure 12; column 5 lines 7-41; and column 16 line 46 to column 17 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Osborne stated above in the communication method of Goertzel because it would have achieved low overhead in multi-user network and processor environment, and saved considerable processing time, which leads to improved network operation; therefore, the combination of Goertzel and Osborne explicitly teaches the claimed limitations recited in the claim 1. Accordingly, appellant's arguments that Goertzel and Osborne fail to disclose these limitations are moot.

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Emmanuel Moise**, can be reached at **(571) 272-3865**.

/BHARAT N BAROT/

Primary Examiner, Art Unit 2455

October 16, 2012